



U.S. Department  
of Transportation

**Federal Highway  
Administration**

# Notice

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Subject:

**APPORTIONMENT OF FUNDS FOR FISCAL YEAR (FY) 2012  
PURSUANT TO THE SURFACE TRANSPORTATION EXTENSION ACT  
OF 2011, PART II, AS AMENDED**

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Classification Code

Date

Office of Primary Interest

**N 4510.752**

July 23, 2012

**HCFB-1**

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1. **What is the purpose of this Notice?** This Notice transmits the revised certificate of apportionment for apportioned Federal-aid highway program funds for FY 2012 pursuant to the Surface Transportation Extension Act of 2011, Part II (Extension Act), title I of Public Law (Pub. L.) 112-30, as amended by the Surface Transportation Extension Act of 2012, Pub. L. 112-102, and the Surface Transportation Extension Act of 2012, Part II, division G of Pub. L. 112-141. The apportionments are effective immediately.
2. **Does this Notice cancel FHWA Notice 4510.749?** Yes, this Notice cancels FHWA Notice 4510.749, Apportionment of Funds for the Period Beginning on October 1, 2011, and Ending on June 30, 2012, Pursuant to the Surface Transportation Extension Act of 2011, Part II, as Amended, dated April 11, 2012. The revision to the apportionment is required pursuant to division G of Pub. L. 112-141, which extends the time period of the extension. The revision to the apportionment is also required to reflect a correction to the FY 2011 rescission amount (see paragraph 3e of this Notice). In addition, this apportionment incorporates determinations made by the Secretary of Transportation pursuant to section 111(d)(3) of the Extension Act, as amended (see paragraph 5c of this Notice).
3. **What is the background information?**
  - a. The Extension Act extends the surface transportation programs, including the highway and highway safety programs, under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. L. 109-59, through September 30, 2012.
  - b. Section 111(a) of the Extension Act incorporates by reference and continues in effect the requirements, authorities, conditions, eligibilities, limitations, and other provisions authorized under titles I, V, and VI of SAFETEA-LU; the SAFETEA-LU Technical Corrections Act of 2008; titles I and VI of the Intermodal Surface Transportation Efficiency Act of 1991; titles I and V of the Transportation Equity Act for the 21<sup>st</sup> Century; and title 23, U.S.C. (excluding chapter 4 of that title), which would have

otherwise expired or ceased to apply after September 30, 2011, under section 411(a) of the Surface Transportation Extension Act of 2010, title IV of Pub. L. 111-147, as amended.

- c. Pursuant to section 111(b) of the Extension Act, except as provided in section 112 for the administrative expenses of the Federal Highway Administration, there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for FY 2012 a sum equal to the total amount authorized to be appropriated out of the Highway Trust Fund for programs, projects, and activities for FY 2011 (taking into account any rescission or cancellation of funds or contract authority for FY 2011) under titles I, V, and VI of SAFETEA-LU and title 23, U.S.C. (excluding chapter 4 of that title).
- d. Pursuant to section 111(c)(1) of the Extension Act, except as otherwise expressly provided in the Extension Act, the funds authorized to be appropriated for FY 2012 shall be distributed, administered, limited, and made available for obligation in the same manner and at the same level as the total amount of funds authorized to be appropriated out of the Highway Trust Fund for FY 2011 (taking into account any rescission or cancellation of funds or contract authority for FY 2011) to carry out programs, projects, activities, eligibilities, and requirements under SAFETEA-LU; the SAFETEA-LU Technical Corrections Act of 2008; titles I and VI of the Intermodal Surface Transportation Efficiency Act of 1991; titles I and V of the Transportation Equity Act for the 21<sup>st</sup> Century; and title 23, U.S.C. (excluding chapter 4 of that title).
- e. As required by section 111(c)(2) of the Extension Act, the amount authorized to be appropriated for the Federal-aid highway program under section 111(b) of the Extension Act is calculated by taking into account any rescission or cancellation of funds or contract authority for FY 2011. The total rescission amount under sections 2207, 2210, 2211, and 2212 of the Full-Year Continuing Appropriations Act, 2011, division B of Pub. L. 112-10, is \$2,824,548,844. Therefore, the amount authorized to be appropriated for the Federal-aid highway program under section 111(b) of the Extension Act for FY 2012 has been reduced by \$2,824,548,844. The reduction has been made on a proportional basis, with a total proportional reduction of \$2,672,783,000 applied to the apportionments under this Notice.

**4. What is the availability of these funds?**

- a. The funds shall be available for obligation and administered in the same manner as if the funds were apportioned under chapter 1 of title 23, U.S.C.

- b. The funds resulting from this apportionment are available for obligation immediately and shall be subject to obligation controls in force at the time of obligation. For FY 2012, an amount of Equity Bonus Program funds equal to \$639,000,000 is provided which is exempt from obligation controls.
- c. The program codes to be used when obligating these funds are similar to those under SAFETEA-LU, except that the zero at the end of each program code under SAFETEA-LU is replaced by the letter "E".

**5. How were the program-by-program and State-by-State amounts determined?**

- a. The base amount of apportioned funds available for each program and distributed to each State for FY 2012 is equal to the amount for each such program and State in FY 2011 (taking into account, on a proportional basis, any rescission or cancellation of funds or contract authority for FY 2011).
- b. Pursuant to section 111(d)(1) of the Extension Act, for FY 2012, the amount that a State received or was authorized to receive for FY 2011 (taking into account, on a proportional basis, any rescission or cancellation of funds or contract authority for FY 2011) to carry out sections 1301, 1302, 1307, 1702, and 1934 of SAFETEA-LU, and section 144(f)(1) of title 23, U.S.C., is made available to the State for the programs apportioned under sections 104(b) and 144 of title 23, U.S.C. The funds are programmatically distributed among the programs apportioned under sections 104(b) and 144 of title 23, U.S.C., in the same proportions that the amount apportioned to the State for FY 2011 for each such program bears to the amount apportioned to the State for FY 2011 for all of the programs apportioned under sections 104(b) and 144 of title 23, U.S.C. The programmatically distributed funds are administered in the same manner and with the same periods of availability as such funding is administered under the programs apportioned under sections 104(b) and 144 of title 23, U.S.C., except that no funds may be used to carry out the project described in section 1307(d)(1) of SAFETEA-LU.\*
- c. Section 111(d)(3) of the Extension Act, as amended, instructs that no additional funds for FY 2012 are to be provided for any project or activity that the Secretary of Transportation determines was sufficiently funded before or during FY 2011 to achieve the authorized purpose of the project or activity. Funds for a project or activity subject to this determination are reserved and distributed to each State in the proportion that the total amount of funds made available for FY 2011 for such projects and activities in the State bears to the total amount of funds made available for

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\* The Federal Highway Administration's Nevada Division Office will implement this restriction.

FY 2011 for such projects and activities in all States (i.e., the funds for FY 2012 are made available to the same State for which the funds were available in FY 2011). Funding that would have been made available to a national nonprofit or not-for-profit organization but determined to be subject to this provision will be proportionally distributed among all States based on each State's total FY 2011 apportionments. The funds for each State are for use in carrying out other highway projects and activities and have been programmatically distributed within each State to the programs specified in sections 104(b) and 144 of title 23, U.S.C. The Secretary of Transportation has made determinations, except with respect to section 1960 of Pub. L. 109-59, of the programs subject to this provision as follows:

- (1) America's Byways Resource Center (section 1803 of SAFETEA-LU);
- (2) Bicycle and Pedestrian Safety Grants (section 1411(b) of SAFETEA-LU);
- (3) Freight Intermodal Distribution Pilot Grant Program (section 1306 of SAFETEA-LU);
- (4) Going-to-the-Sun Road (section 1940 of SAFETEA-LU);
- (5) Great Lakes ITS Implementation (section 1943 of SAFETEA-LU);
- (6) Multimodal Facility Improvements (section 1962 of SAFETEA-LU);
- (7) National Work Zone Clearinghouse (section 1410 of SAFETEA-LU);
- (8) Non-motorized Transportation Pilot Program (section 1807 of SAFETEA-LU);
- (9) Operation Lifesaver (section 1103(f)(1) of SAFETEA-LU, section 104(d)(1) of title 23, U.S.C.);
- (10) Pavement Marking System (section 1907 of SAFETEA-LU);
- (11) Road Safety Data and Public Awareness (section 1411(a) of SAFETEA-LU);
- (12) Road User Fee Study (section 1919 of SAFETEA-LU);
- (13) Set-Aside for Minneapolis/St. Paul-Chicago segment of Midwest High Speed Rail Corridor (section 104(d)(2)(E) of title 23, U.S.C.); and
- (14) Set-Aside for Ferry Boats Projects on the National Highway System (section 147(d) of title 23, U.S.C.).

- d. Table 1 shows the program-by-program, State-by-State apportionment amounts (inclusive of the previously allocated amounts under section 111(d)(1) of the Extension Act that have been programmatically distributed to the programs apportioned under sections 104(b) and 144 of title 23, U.S.C.) available under the Extension Act for FY 2012.

6. **Are certain States subject to penalty transfer?** Yes. Currently, the States that are listed under the following two requirements are subject to transfer of

funds. The funds to be transferred will be transferred to the States' 402 Safety Programs. It should be noted that the following penalty transfer amounts are subject to change based on revisions to the apportionment calculations.

a. **Open Container Requirements – 23 U.S.C. 154 – 3 percent**

Funds subject to be transferred: Interstate Maintenance, National Highway System, and Surface Transportation Program.

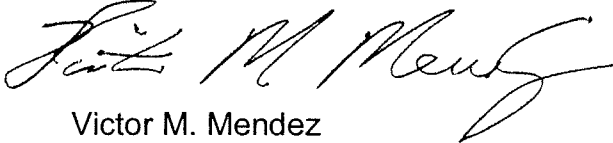
**Alaska, Arkansas, Connecticut, Delaware, Louisiana, Mississippi, Missouri, Tennessee, Virginia, West Virginia, and Wyoming**

b. **Minimum Penalties for Repeat Offenders for Driving While Intoxicated or Driving Under the Influence – 23 U.S.C. 164 – 3 percent**

Funds subject to be transferred: Interstate Maintenance, National Highway System, and Surface Transportation Program.

**Alaska, California, Louisiana, Maryland, Minnesota, Missouri, Montana, New Mexico, Ohio, Oregon, Rhode Island, South Dakota, Vermont, Washington, Wisconsin, and Wyoming**

7. **How will the funds be transferred?** Funds will be transferred from the Interstate Maintenance, National Highway System, and Surface Transportation Program apportionments (Table 1) to the States' 402 Safety Programs for those States that failed to meet the provisions of section 154 of title 23, U.S.C., the Open Container Requirements (3 percent), and section 164 of title 23, U.S.C., the Minimum Penalties for Repeat Offenders (3 percent). Tables 2 and 3 illustrate the amounts to be transferred subject to a determination by the State under sections 154(c)(5) and 164(b)(5), which allow the States to designate the funds to be transferred.
8. **What action is required?** Division Administrators should ensure that copies of this Notice are provided to the State departments of transportation.



Victor M. Mendez  
Administrator

Attachments

**CERTIFICATE OF APPORTIONMENT FROM THE SUM OF \$37,560,219,746  
AUTHORIZED TO BE APPROPRIATED FOR APPORTIONED FEDERAL-AID HIGHWAY  
PROGRAMS FOR FISCAL YEAR 2012 UNDER THE SURFACE TRANSPORTATION  
EXTENSION ACT OF 2011, PART II, TITLE I OF PUBLIC LAW 112-30, AS AMENDED  
BY PUBLIC LAW 112-102 AND DIVISION G OF PUBLIC LAW 112-141.**

TO—

The Secretary of the Treasury of the United States and the State departments of transportation:

Pursuant to section 9503 of the Internal Revenue Code of 1986, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, title 23, United States Code, and the delegation of authority from the Secretary of Transportation to the Federal Highway Administrator, section 1.48 of title 49, Code of Federal Regulations, I certify—

First, that the Secretary of the Treasury has made the estimate required by section 9503(d) of the Internal Revenue Code of 1986 and, based on that estimate, I have determined that the amount that can be apportioned for the Federal-aid highway programs under the Surface Transportation Extension Act of 2011, Part II, title I of Public Law 112-30, as amended by Public Law 112-102 and division G of Public Law 112-141 is \$37,560,219,746, which is 100 percent of the amount authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) for FY 2012.

Second, that except as otherwise expressly provided in the Surface Transportation Extension Act of 2011, Part II, the funds authorized to be appropriated for FY 2012 shall be distributed, administered, limited, and made available for obligation in the same manner and at the same level as the total amount of funds authorized to be appropriated out of the Highway Trust Fund for FY 2011 (taking into account any rescission or cancellation of funds or contract authority for FY 2011) to carry out programs, projects, activities, eligibilities, and requirements under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users; the SAFETEA-LU Technical Corrections Act of 2008; titles I and VI of the Intermodal Surface Transportation Efficiency Act of 1991; titles I and V of the Transportation Equity Act for the 21st Century; and title 23, United States Code (excluding chapter 4 of that title).

Third, that in compliance with section 154 of title 23, United States Code, the Open Container Requirements, 3 percent of the Interstate Maintenance, National Highway System, and Surface Transportation Program apportionments for the States of Alaska, Arkansas, Connecticut, Delaware, Louisiana, Mississippi, Missouri, Tennessee, Virginia, West Virginia, and Wyoming will be transferred to the States' 402 Safety Programs.

Fourth, that in compliance with section 164 of title 23, United States Code, the Minimum Penalties for Repeat Offenders for Driving While Intoxicated or Driving Under the Influence, 3 percent of the Interstate Maintenance, National Highway System, and

Surface Transportation Program apportionments for the States of Alaska, California, Louisiana, Maryland, Minnesota, Missouri, Montana, New Mexico, Ohio, Oregon, Rhode Island, South Dakota, Vermont, Washington, Wisconsin, and Wyoming will be transferred to the States' 402 Safety Programs.

Fifth, that after making the required deductions and transfers, I have computed the apportionments to each State and the District of Columbia of the remainder of the amounts authorized to be appropriated for the apportioned Federal-aid highway programs in the manner provided by law.

Sixth, that subject to the foregoing deductions and transfers, the sums that are hereby apportioned to each State and the District of Columbia, effective immediately, are respectively as follows:





U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION

N4510.752 - TABLE 2

TRANSFERS ASSESSED PURSUANT TO TITLE 23 U.S.C. 154 (Open Container Requirements) FROM THE  
INTERSTATE MAINTENANCE, NATIONAL HIGHWAY SYSTEM, AND SURFACE TRANSPORTATION  
PROGRAMS UNDER THE SURFACE TRANSPORTATION EXTENSION ACT OF 2011, PART II, AS AMENDED,  
FOR FISCAL YEAR 2012

| State          | TRANSFERS ASSESSED ON APPORTIONMENTS |                               |                                      |                                    |                               |                                      | TOTAL TRANSFERS ASSESSED PURSUANT TO TITLE 23 U.S.C. 154 |                               |                                      |                      |
|----------------|--------------------------------------|-------------------------------|--------------------------------------|------------------------------------|-------------------------------|--------------------------------------|--|-------------------------------|--------------------------------------|----------------------|
|                | PURSUANT TO TITLE 23 U.S.C. 104(b)   |                               |                                      | PURSUANT TO TITLE 23 U.S.C. 105(d) |                               |                                      | Interstate<br>Maintenance                                | National<br>Highway<br>System | Surface<br>Transportation<br>Program | Total                |
|                | Interstate<br>Maintenance            | National<br>Highway<br>System | Surface<br>Transportation<br>Program | Interstate<br>Maintenance          | National<br>Highway<br>System | Surface<br>Transportation<br>Program |  |                               |                                      |                      |
| ALABAMA        | \$0                                  | \$0                           | \$0                                  | \$0                                | \$0                           | \$0                                  | \$0  | \$0                           | \$0                                  | \$0                  |
| ALASKA         | 2,070,584                            | 2,441,595                     | 2,105,193                            | 952,509                            | 1,123,182                     | 968,430                              | 3,023,093  | 3,564,777                     | 3,073,623                            | 9,661,493            |
| ARIZONA        | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| ARKANSAS       | 2,400,908                            | 2,997,225                     | 3,098,606                            | 510,779                            | 637,642                       | 659,210                              | 2,911,687  | 3,634,867                     | 3,757,816                            | 10,304,370           |
| CALIFORNIA     | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| COLORADO       | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| CONNECTICUT    | 1,663,140                            | 1,533,535                     | 1,957,155                            | 390,682                            | 360,237                       | 459,748                              | 2,053,822  | 1,893,772                     | 2,416,903                            | 6,364,497            |
| DELAWARE       | 285,646                              | 1,717,733                     | 1,159,971                            | 35,888                             | 215,815                       | 145,738                              | 321,534  | 1,933,548                     | 1,305,709                            | 3,560,791            |
| DIST. OF COL.  | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| FLORIDA        | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| GEORGIA        | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| HAWAII         | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| IDAHO          | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| ILLINOIS       | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| INDIANA        | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| IOWA           | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| KANSAS         | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| KENTUCKY       | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| LOUISIANA      | 3,148,619                            | 2,939,329                     | 3,561,033                            | 470,858                            | 439,560                       | 532,532                              | 3,619,477  | 3,378,889                     | 4,093,565                            | 11,091,931           |
| MAINE          | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| MARYLAND       | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| MASSACHUSETTS  | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| MICHIGAN       | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| MINNESOTA      | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| MISSISSIPPI    | 2,238,089                            | 3,272,594                     | 3,184,535                            | 313,680                            | 458,671                       | 446,329                              | 2,551,769  | 3,731,265                     | 3,630,864                            | 9,913,898            |
| MISSOURI       | 4,470,420                            | 5,009,755                     | 5,400,596                            | 1,041,865                          | 1,167,561                     | 1,258,650                            | 5,512,285  | 6,177,316                     | 6,659,246                            | 18,348,847           |
| MONTANA        | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| NEBRASKA       | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| NEVADA         | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| NEW HAMPSHIRE  | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| NEW JERSEY     | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| NEW MEXICO     | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| NEW YORK       | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| NORTH CAROLINA | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| NORTH DAKOTA   | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| OHIO           | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| OKLAHOMA       | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| OREGON         | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| PENNSYLVANIA   | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| RHODE ISLAND   | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| SOUTH CAROLINA | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| SOUTH DAKOTA   | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| TENNESSEE      | 4,303,524                            | 4,385,900                     | 4,711,697                            | 1,209,616                          | 1,232,770                     | 1,324,344                            | 5,513,140  | 5,618,670                     | 6,036,041                            | 17,167,851           |
| TEXAS          | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| UTAH           | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| VERMONT        | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| VIRGINIA       | 4,676,479                            | 4,573,119                     | 5,601,526                            | 1,263,119                          | 1,235,201                     | 1,512,974                            | 5,939,598  | 5,808,320                     | 7,114,500                            | 18,862,418           |
| WASHINGTON     | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| WEST VIRGINIA  | 1,633,164                            | 1,646,173                     | 1,781,330                            | 591,193                            | 595,902                       | 644,828                              | 2,224,357  | 2,242,075                     | 2,426,158                            | 6,892,590            |
| WISCONSIN      | 0                                    | 0                             | 0                                    | 0                                  | 0                             | 0                                    | 0  | 0                             | 0                                    | 0                    |
| WYOMING        | 1,570,312                            | 2,676,093                     | 1,000,676                            | 232,441                            | 396,120                       | 148,122                              | 1,802,753  | 3,072,213                     | 1,148,798                            | 6,023,764            |
| <b>Total</b>   | <b>\$28,460,885</b>                  | <b>\$33,193,051</b>           | <b>\$33,562,318</b>                  | <b>\$7,012,630</b>                 | <b>\$7,862,661</b>            | <b>\$8,100,905</b>                   | <b>\$35,473,515</b>                                      | <b>\$41,055,712</b>           | <b>\$41,663,223</b>                  | <b>\$118,192,450</b> |

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION

N4510.752 - TABLE 3

TRANSFERS ASSESSED PURSUANT TO TITLE 23 U.S.C. 164 (Minimum Penalties for Repeat Offenders for Driving While Intoxicated or Driving Under the Influence) FROM THE INTERSTATE MAINTENANCE, NATIONAL HIGHWAY SYSTEM, AND SURFACE TRANSPORTATION PROGRAMS UNDER THE SURFACE TRANSPORTATION EXTENSION ACT OF 2011, PART II, AS AMENDED, FOR FISCAL YEAR 2012

| State          | AMOUNT WITHHELD FROM APPORTIONMENTS |                         |                                |                                    |                         |                                | TOTAL TRANSFERS ASSESSED        |                         |                                |                      |
|----------------|-------------------------------------|-------------------------|--------------------------------|------------------------------------|-------------------------|--------------------------------|---------------------------------|-------------------------|--------------------------------|----------------------|
|                | PURSUANT TO TITLE 23 U.S.C. 104(b)  |                         |                                | PURSUANT TO TITLE 23 U.S.C. 105(d) |                         |                                | PURSUANT TO TITLE 23 U.S.C. 164 |                         |                                |                      |
|                | Interstate Maintenance              | National Highway System | Surface Transportation Program | Interstate Maintenance             | National Highway System | Surface Transportation Program | Interstate Maintenance          | National Highway System | Surface Transportation Program | Total                |
| ALABAMA        | \$0                                 | \$0                     | \$0                            | \$0                                | \$0                     | \$0                            | \$0                             | \$0                     | \$0                            | \$0                  |
| ALASKA         | 2,070,584                           | 2,441,595               | 2,105,193                      | 952,509                            | 1,123,182               | 968,430                        | 3,023,093                       | 3,564,777               | 3,073,623                      | 9,661,493            |
| ARIZONA        | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| ARKANSAS       | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| CALIFORNIA     | 15,074,645                          | 19,080,250              | 20,978,478                     | 2,225,054                          | 2,816,292               | 3,096,475                      | 17,299,699                      | 21,896,542              | 24,074,953                     | 63,271,194           |
| COLORADO       | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| CONNECTICUT    | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| DELAWARE       | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| DIST. OF COL.  | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| FLORIDA        | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| GEORGIA        | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| HAWAII         | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| IDAHO          | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| ILLINOIS       | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| INDIANA        | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| IOWA           | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| KANSAS         | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| KENTUCKY       | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| LOUISIANA      | 3,148,619                           | 2,939,329               | 3,561,033                      | 470,858                            | 439,560                 | 532,532                        | 3,619,477                       | 3,378,889               | 4,093,565                      | 11,091,931           |
| MAINE          | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| MARYLAND       | 2,667,209                           | 3,007,903               | 3,281,695                      | 310,894                            | 350,605                 | 382,519                        | 2,978,103                       | 3,358,508               | 3,664,214                      | 10,000,825           |
| MASSACHUSETTS  | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| MICHIGAN       | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| MINNESOTA      | 3,063,948                           | 3,789,169               | 4,747,472                      | 622,628                            | 770,001                 | 964,739                        | 3,686,576                       | 4,559,170               | 5,712,211                      | 13,957,957           |
| MISSISSIPPI    | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| MISSOURI       | 4,470,420                           | 5,009,755               | 5,400,596                      | 1,041,865                          | 1,167,561               | 1,258,650                      | 5,512,285                       | 6,177,316               | 6,659,246                      | 18,348,847           |
| MONTANA        | 2,162,271                           | 2,876,389               | 1,622,702                      | 717,338                            | 954,248                 | 538,334                        | 2,879,609                       | 3,830,637               | 2,161,036                      | 8,871,282            |
| NEBRASKA       | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| NEVADA         | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| NEW HAMPSHIRE  | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| NEW JERSEY     | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| NEW MEXICO     | 2,255,558                           | 2,712,878               | 1,930,645                      | 499,106                            | 600,301                 | 427,210                        | 2,754,664                       | 3,313,179               | 2,357,855                      | 8,425,698            |
| NEW YORK       | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| NORTH CAROLINA | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| NORTH DAKOTA   | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| OHIO           | 6,516,851                           | 5,711,731               | 7,145,901                      | 1,642,563                          | 1,439,633               | 1,801,114                      | 8,159,414                       | 7,151,364               | 8,947,015                      | 24,257,793           |
| OKLAHOMA       | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| OREGON         | 2,490,486                           | 3,167,791               | 3,112,318                      | 212,752                            | 270,611                 | 265,872                        | 2,703,238                       | 3,438,402               | 3,378,190                      | 9,519,830            |
| PENNSYLVANIA   | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| RHODE ISLAND   | 375,527                             | 1,625,109               | 1,158,384                      | 0                                  | 0                       | 0                              | 375,527                         | 1,625,109               | 1,158,384                      | 3,159,020            |
| SOUTH CAROLINA | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| SOUTH DAKOTA   | 1,281,128                           | 2,475,572               | 1,614,143                      | 226,856                            | 438,363                 | 285,825                        | 1,507,984                       | 2,913,935               | 1,899,968                      | 6,321,887            |
| TENNESSEE      | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| TEXAS          | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| UTAH           | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| VERMONT        | 692,769                             | 1,631,670               | 1,345,871                      | 4,798                              | 11,300                  | 9,320                          | 697,567                         | 1,642,970               | 1,355,191                      | 3,695,728            |
| VIRGINIA       | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| WASHINGTON     | 3,182,348                           | 3,639,582               | 4,081,978                      | 174,216                            | 199,247                 | 223,466                        | 3,356,564                       | 3,838,829               | 4,305,444                      | 11,500,837           |
| WEST VIRGINIA  | 0                                   | 0                       | 0                              | 0                                  | 0                       | 0                              | 0                               | 0                       | 0                              | 0                    |
| WISCONSIN      | 2,689,898                           | 4,585,247               | 4,388,342                      | 1,078,872                          | 1,839,063               | 1,760,088                      | 3,768,770                       | 6,424,310               | 6,148,430                      | 16,341,510           |
| WYOMING        | 1,570,312                           | 2,676,093               | 1,000,676                      | 232,441                            | 396,120                 | 148,122                        | 1,802,753                       | 3,072,213               | 1,148,798                      | 6,023,764            |
| <b>Total</b>   | <b>\$53,712,573</b>                 | <b>\$67,370,063</b>     | <b>\$67,475,427</b>            | <b>\$10,412,750</b>                | <b>\$12,816,087</b>     | <b>\$12,662,696</b>            | <b>\$64,125,323</b>             | <b>\$80,186,150</b>     | <b>\$80,138,123</b>            | <b>\$224,449,596</b> |